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8 **UNITED STATES DISTRICT COURT**

9 EASTERN DISTRICT OF CALIFORNIA

10
11 REXFORD PROPERTIES LLC,

12 Plaintiff,

13 v.

14 AGCS MARINE INSURANCE COMPANY,
et al.,

15 Defendants.

16 Case No. 1:23-cv-00276-ADA-SAB

17 ORDER DIRECTING THE CLERK OF THE
COURT TO TERMINATE ALLIANZ
GLOBAL CORPORATE AND SPECIALTY
AS DEFENDANT IN THIS ACTION

18 (ECF No. 16)

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20 On May 9, 2023, Plaintiff filed a notice of dismissal pursuant to Federal Rule of Civil
Procedure 41(a) as to the dismissal of Defendant Allianz Global Corporate and Specialty. (ECF
No. 16.) The dismissal of this Defendant is without prejudice. (Id. at 1.) The claims against the
other named Defendant are not subject to the stipulation and will remain active.

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22 Rule 41(a) of the Federal Rules of Civil Procedure allows a party to dismiss some or all of
the defendants in an action through a Rule 41(a) notice. Wilson v. City of San Jose, 111 F.3d
688, 692 (9th Cir. 1997); see also Concha v. London, 62 F.3d 1493, 1506 (9th Cir. 1995) (“The
plaintiff may dismiss either some or all of the defendants—or some or all of his claims—through
a Rule 41(a)(1) notice.”)); Hells Canyon Pres. Council v. U.S. Forest Serv., 403 F.3d 683, 687
(9th Cir. 2005) (The Ninth Circuit has “only extended the rule to allow the dismissal of all claims
against one defendant, so that a defendant may be dismissed from the entire action.”). “Filing a

1 notice of voluntary dismissal with the court automatically terminates the action as to the
2 defendants who are the subjects of the notice.” Concha, 62 F.3d at 1506.

3 Accordingly, the Clerk of the Court is DIRECTED to terminate Defendant Allianz Global
4 Corporate and Specialty as defendant in this action.

5 IT IS SO ORDERED.
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7 Dated: May 10, 2023


UNITED STATES MAGISTRATE JUDGE

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